

## **Agreement WM-GM-087**

### **Quarterly Report**

**January 3, 2006**

#### **Report Period**

Pursuant to the agreement, this report covers the activities of the Clark Fork Task Force for initial period of August through December 2005.

#### **Task Force Activities**

During this period, the Task Force met on four occasions, August 8, September 19, October 24, and November 14, 2005. I arranged, facilitated, and summarized each of these meetings. The summaries are attached below in Appendix 1. Although the Task Force did not meet during December, I carried out two activities on its behalf. A summary of these activities plus those related to each of the meetings follows.

##### August 8, 2005

At its initial meeting under this agreement, the Task Force: reviewed the 2005 legislation affecting it, the Task Force membership, and draft ground rules; began developing a work plan; and discussed budget and funding options. The Task Force tentatively decided to focus its activities related to two topics: negotiations between the state and the Bureau of Reclamation concerning the amount and cost of water stored in Hungry Horse Reservoir that might be supplied via contract to Clark Fork River basin water users; and convening a conference on basin ground water.

##### September 19, 2005

The Task Force adopted ground rules to guide its activities. It agreed to recommend to DNRC Director Mary Sexton that the active members of the Task Force during its first four years be reappointed with the addition of two new members: James Steele, Jr., Confederated Salish and Kootenai Tribal Council Member; and Arvid Hiller, Vice President and General Manager of Mountain Water Company. It also recommended the addition of one new ex-officio member, Senator Jim Shockley, SD 45, who serves on the Environmental Quality Council. The Task Force further agreed to seek the participation of Representative Joey Jayne as a Task Force ex-officio member. The Task Force heard a presentation by Rich Moy, DNRC Water Management Bureau Chief, about DNRC's existing authority to market water, previous studies of water availability in Hungry Horse Reservoir, other considerations that might affect Hungry Horse water availability, and steps that need to be taken to implement HJR3, the joint House and Senate Resolution passed by the 2005 Legislature. The Task Force also discussed with Mary Sexton its work plan and funding. Finally, the Task Force agreed to send a letter to Governor Schweitzer asking him to initiate the negotiation process with the BOR by requesting an amount of water from Hungry Horse Reservoir for a state contract.

##### October 24, 2005

At the Task Force's direction, prior to this meeting, I sent out two letters to Mary Sexton. The first addressed Task Force membership and the second asked that DNRC review the rough estimate that 250,000 acre feet of water might supply present and future consumptive needs for a lengthy period such as 50 years. I also received a copy of a letter from Chairman Fred Matt of the Confederated Salish and Kootenai Tribes to Mary Sexton expressing concerns about concerns about DNRC pursuing negotiations for long-term contracts for purchase of water from

## BOR's Hungry Horse Project.

At the meeting, the Task Force heard a presentation by Arvid Hiller describing the Mountain Water Company which provides water service in the Missoula area. The Task Force also refined its ideas for a ground water conference and identified entities that should be represented on a conference steering committee. Finally, the Task Force directed its facilitator to arrange a meeting with Chairman Fred Matt about his letter to Mary Sexton.

### November 14, 2005

Prior to this meeting, I summarized the Task Force ideas about the ground water conference and arranged a meeting with John Carter, the head of the Confederated Salish and Kootenai Tribal legal department to discuss Chairman Matt's letter.

At the meeting, the Task Force heard a presentation by Kerry Berg, Policy Analyst for the Northwest Power and Conservation Council, about recent court-related actions that may affect the operation of Hungry Horse Dam. It also reviewed and discussed a letter from Mary Sexton to Chairman Fred Matt suggesting that the Tribes and the State jointly approach the Bureau of Reclamation to explore what water may be available from Hungry Horse. Finally, the Task Force discussed with University of Montana Professor Bill Woessner the ground water conference and the possibility of co-convening the conference with the Center for Riverine Science.

### December 2005

Along with Task Force member Marc Spratt, I met with John Carter and other members of the Confederated Salish and Kootenai Tribal legal department to discuss Chairman Matt's letter. I summarized this meeting and emailed or mailed the summary to the Task Force. I also arranged and convened a conference call with members of the ground water steering committee including: Bob Davis, USGS; John LaFave and Tom Patton, Bureau of Mines and Geology; Mike McLane, DNRC; Gretchen Rupp, Montana Water Center; Marc Spratt, Task Force; and Bill Woessner, Riverine Center. I again summarized the call and emailed or mailed the summary to the Task Force.